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EXAMINER
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LE, MIRANDA

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/713,600	<b>Applicant(s)</b> KRAFT ET AL.	
	<b>Examiner</b> MIRANDA LE	<b>Art Unit</b> 2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-20, 22-32, 34-49, 51, 53 and 55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-20, 22-32, 34-49, 51, 53 and 55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This communication is responsive to Amendment, filed 08/20/08.

Claims 1-8, 10-20, 22-32, 34-49, 51, 53 are pending in this application. Claims 1, 13, 25, 49, 51, 53 are independent claims. This action is made Final.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claim 55 is rejected under 35 U.S.C. 102(b) as being anticipated by Yanagihara et al. (US Patent No. 6,161,102).**

Yanagihara anticipated independent claim 55 by the following:

**As per claim 55 (New),** Yanagihara teaches a system for determining which of a plurality of queued (*i.e. Any subsequent addition of documents to an information source will be followed by another search for documents modified (or added) since the last report was generated and delivered to a client system, and the results of this search will be saved in a list of such documents, col. 16, line 52 to col. 17, line 9*) search requests (*i.e. The user of the server system 9 may select certain information sources for maintenance and by doing so cause, at some point in time after selection for maintenance, the information source to no longer be displayed at a display device of a*

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*client system, such as client system 33, col. 9, lines 42-55) to implement, the method comprising:*

*means for evaluating one or more user input (i.e. the user of client system 33 may define a first search request and the client 33 instructs the server 9 to perform that search request in the future every time after new or modified documents are added to the information sources which are available for searching. In an alternative embodiment, the user of the client system 33 may define the first search request and schedule the performance of that search request in a first search at some first scheduled time in the future, col. 9, lines 1-41), electronic records search requests using two or more search selection criteria (i.e. That is, this scheduled search is designed to find only new documents or modified documents which have been added to the information sources stored in the information storage devices of the network since the search was defined (in the case of a first scheduled search) or since the last scheduled search was performed, col. 9, lines 1-41), wherein the one or more search selection criteria comprises at least two of how many times an examined electronic records search request has failed, how busy one or more databases associated with eth search data are, how many phone lines are available to access the one or more databases associated with the search data, a status of the examined electronic records search requests (i.e. , how many attempts have been made to executed the examined electronic records search request, when the examine electronic records search request was last updated (i.e. This is accomplished by searching for documents which match the search request and which have a modification or creation date since the last report*

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*was delivered to a client system, col. 9, lines 1-41), and when the examined electronic records search request last took place (i.e. the last report was delivered to a client system, col. 9, lines 1-41);*

mean for selecting one of the user input, electronic records search requests to execute next bases upon the evaluation *(i.e. Any subsequent addition of documents to an information source will be followed by another search for documents modified (or added) since the last report was generated and delivered to a client system, and the results of this search will be saved in a list of such documents, col. 16, line 52 to col. 17, line 9); and*

means for executing the selected search *(i.e. Any subsequent addition of documents to an information source will be followed by another search for documents modified (or added) since the last report was generated and delivered to a client system, and the results of this search will be saved in a list of such documents, col. 16, line 52 to col. 17, line 9).*

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the

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various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 1, 6-8, 11, 13, 18-20, 23, 25, 30-32, 35, 37, 39, 41, 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (US Patent No. 6,581,056), in view of Anderson et al. (US Patent No. 6,005,860).**

**As per claim 1,** Rao teaches a method for retrieving data, comprising:

selecting one of plurality of user input (*i.e. a query to one or more information sources, e.g. databases, col. 2, lines 9-26*);

determining which of two or more different types of communication medium (*i.e. Connection to the information sources may be through a network, e.g. databases residing on the Internet, or via a direct connection to the communication source, e.g. direct dial-up to Dialog.TM. Information Source databases, col. 3, lines 35-42*) can be used to access at least one of a plurality of electronic records databases associated with the selected one of the electronic records search requests (*i.e. Each of the information sources 102 manage a repository of information (e.g. collections of papers, articles or other document types) and provide access to it through some access protocol. The access protocol may be either one of the de facto standards (e.g. Z39.50) or a server specific protocol (e.g. as used in the Dialog.TM. On-line information source).*

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*Thus, the IA client is capable of communicating using the protocol of the server, col. 3, lines 52-59);*

*retrieving instructions (i.e. The intermediary server relays the operation requests to the information sources using the protocol of the information sources, col. 4, lines 5-17) for accessing the at least one of a plurality of electronic records databases (i.e. The query translation part 404 processes a query into the protocol(s) utilized by each of the various information sources being accessed. The query translation part 404 may also modify the query for a particular information source in the event that the information source cannot support the original request (e.g. a request made that is restricted to a particular field), col. 5, lines 31-37) based on at least one of the determined types of communication medium which can be used to access the at least one of the plurality of electronic records databases (i.e. each of the various information sources may communicate using a different protocol and each may have different search capabilities, col. 4, lines 20-40);*

*accessing the at least one of the plurality of electronic records databases with the retrieved instructions (i.e. In this step any necessary protocol conversions are performed along with any modifications for a particular information source that are necessary in order to make a "best effort" to perform the query as requested. After some period of time the results of the query to the information sources are returned and collected by the IA client, step 303. In this case the entire documents may be downloaded, so what is obtained is a whole collection of full text documents, col. 4, lines 20-40);*

executing the selected electronic records search request and retrieving at least one electronic record from at least one storage location during the executing (*i.e. In any event, what the user now has is an ephemeral collection of documents that have been gathered from multiple information sources, col. 4, lines 20-40*);

parsing the electronic records (*i.e. The tokenizer 502 extracts tokens by parsing the text of a document and generating a token 503 for each contiguous sequence of characters (e.g. a word). The tokens are then processed through a series of filters 504, col. 6, lines 18-36*) to convert one or more raw data sets into user-selectable objects (*i.e. after going through the series of filters 504 the remaining tokens 505 that are output are input to a statistics collector 506 for collecting the document level statistics 507 and collection level statistics 508. These statistics may include token occurrences or proximity of words or phrases, col. 6, lines 18-36, col. 4, lines 41-54*); and

causing the user-selectable objects to be displayed (*i.e. In relevance feedback a user indicates documents in the ephemeral collection that are relevant. Typically, an automatic procedure is used to reweight, add, or remove terms in a subsequent query (although some systems permit this to be done by the user), col. 6, lines 60-64*).

Rao does not specifically teach stored electronic records search requests from a queued search database to execute next based upon one or more selection criteria.

Anderson teaches stored electronic records search requests (*i.e. a search request, col. 17, lines 27-35*) from a queued search database to execute next based upon one or more selection criteria (*i.e. At step 325, the MRA 38 places the router packet in the destination module's queue. In embodiments of the present invention, the*



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*destination module's queue is typically a FIFO (first in first out) type of ordered memory structure. A router packet is usually placed at the bottom position of the queue and the destination module usually retrieves router packets from the top position of the queue. In this way, if multiple router packets are placed within the destination module's queue, the earliest router packet to arrive in the queue will be at a designated position, such as the top position, col. 17, lines 55-65).*

It would have been obvious to one of ordinary skill of the art having the teaching of Rao and Anderson at the time the invention was made to modify the system of Rao to include the limitations as taught by Anderson. One of ordinary skill in the art would be motivated to make this combination in order to monitor the contents of the destination module's queue for pending router packets, and monitor the designated destination module for processing activity in view of Anderson (col. 17, lines 46-54), as doing so would give the added benefit of having an information retrieval system to adaptively routed the information to another software module called the destination module, as taught by Anderson (col. 3, lines 23-35).

**As per claim 13,** Rao teaches a system for retrieving data, comprising:

at least one station operatively connected to at least one storage location (*Fig. 2*); and

at least one processor operatively connected to the at least one station and the at least one storage location (*Fig. 2*), the at least one processor executing a program of instructions for selecting one of a plurality of user input (*i.e. the query translated and*

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*transmitted to the respective information sources, col. 2, lines 27-36), determining which of two or more different types of communication medium can be used to access at least one electronic records database associated with the selected one of the electronic records search requests (i.e. Connection to the information sources may be through a network, e.g. databases residing on the Internet, or via a direct connection to the communication source, e.g. direct dial-up to Dialog.TM. Information Source databases, col. 3, lines 35-42), retrieving instruction for accessing the at least one electronic records search requests (i.e. Each of the information sources 102 manage a repository of information (e.g. collections of papers, articles or other document types) and provide access to it through some access protocol. The access protocol may be either one of the de facto standards (e.g. Z39.50) or a server specific protocol (e.g. as used in the Dialog.TM. On-line information source). Thus, the IA client is capable of communicating using the protocol of the server, col. 3, lines 52-59), retrieving instructions for accessing the at least one electronic records database based on at least one of the determined types of communication medium which can be used to access the at least one electronic records database (i.e. The query translation part 404 processes a query into the protocol(s) utilized by each of the various information sources being accessed. The query translation part 404 may also modify the query for a particular information source in the event that the information source cannot support the original request (e.g. a request made that is restricted to a particular field), col. 5, lines 31-37), accessing the at least one electronic records database with the retrieved instructions (i.e. In this step any necessary protocol conversions are performed along with any modifications for a*

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*particular information source that are necessary in order to make a "best effort" to perform the query as requested. After some period of time the results of the query to the information sources are returned and collected by the IA client, step 303. In this case the entire documents may be downloaded, so what is obtained is a whole collection of full text documents, col. 4, lines 20-40), executing the selected electronic records search request and retrieving at least one electronic record from the at least one storage location during the executing (i.e. In any event, what the user now has is an ephemeral collection of documents that have been gathered from multiple information sources, col. 4, lines 20-40), parsing the electronic records (i.e. The tokenizer 502 extracts tokens by parsing the text of a document and generating a token 503 for each contiguous sequence of characters (e.g. a word). The tokens are then processed through a series of filters 504, col. 6, lines 18-36) to convert one or more raw data sets into user-selectable objects (i.e. after going through the series of filters 504 the remaining tokens 505 that are output are input to a statistics collector 506 for collecting the document level statistics 507 and collection level statistics 508. These statistics may include token occurrences or proximity of words or phrases, col. 6, lines 18-36, col. 4, lines 41-54), and causing the user-selectable objects to be displayed (i.e. In relevance feedback a user indicates documents in the ephemeral collection that are relevant. Typically, an automatic procedure is used to reweight, add, or remove terms in a subsequent query (although some systems permit this to be done by the user), col. 6, lines 60-64).*

Rao does not explicitly teach stored electronic records search request from a queued search database to execute next based upon one or more selection criteria.

Anderson teaches stored electronic records search requests (*i.e. a search request, col. 17, lines 27-35*) from a queued search database to execute next based upon one or more selection criteria (*i.e. At step 325, the MRA 38 places the router packet in the destination module's queue. In embodiments of the present invention, the destination module's queue is typically a FIFO (first in first out) type of ordered memory structure. A router packet is usually placed at the bottom position of the queue and the destination module usually retrieves router packets from the top position of the queue. In this way, if multiple router packets are placed within the destination module's queue, the earliest router packet to arrive in the queue will be at a designated position, such as the top position, col. 17, lines 55-65*).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao and Anderson at the time the invention was made to modify the system of Rao to include the limitations as taught by Anderson. One of ordinary skill in the art would be motivated to make this combination in order to monitor the contents of the destination module's queue for pending router packets, and monitor the designated destination module for processing activity in view of Anderson (col. 17, lines 46-54), as doing so would give the added benefit of having an information retrieval system to adaptively routed the information to another software module called the destination module as taught by Anderson (col. 3, lines 23-35).

**As per claim 25**, Rao teaches a program storage device readable by a machine tangibly embodying a program of instructions executable by the machine to perform a method for accessing electronic records obtained from at least one electronic records dataset search, the method enabling users to select for retrieval at least one raw data set related to the electronic records, the device comprising:

selecting one of a plurality of user input (*i.e. the query translated and transmitted to the respective information sources, col. 2, lines 27-36*);

executing the selected electronic records search request and retrieving at least one electronic record from at least one storage location during the executing (*i.e. In any event, what the user now has is an ephemeral collection of documents that have been gathered from multiple information sources, col. 4, lines 20-40*);

determining which of two or more different types of communication medium (*i.e. Connection to the information sources may be through a network, e.g. databases residing on the Internet, or via a direct connection to the communication source, e.g. direct dial-up to Dialog.TM. Information Source databases, col. 3, lines 35-42*) can be used to access at least one of a plurality of electronic records databases associated with the selected one of the electronic records search request (*i.e. Each of the information sources 102 manage a repository of information (e.g. collections of papers, articles or other document types) and provide access to it through some access protocol. The access protocol may be either one of the de facto standards (e.g. Z39.50) or a server specific protocol (e.g. as used in the Dialog.TM. On-line information source). Thus, the IA client is capable of communicating using the protocol of the server, col. 3,*

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*lines 52-59); retrieving instructions for accessing the at least one of a plurality of electronic records databases based on at least one of the determined types of communication medium which can be used to access the at least one of the plurality of electronic records databases (i.e. The query translation part 404 processes a query into the protocol(s) utilized by each of the various information sources being accessed. The query translation part 404 may also modify the query for a particular information source in the event that the information source cannot support the original request (e.g. a request made that is restricted to a particular field), col. 5, lines 31-37);*

*accessing the at least one of the plurality of electronic records databases with the retrieved instructions (i.e. In any event, what the user now has is an ephemeral collection of documents that have been gathered from multiple information sources, col. 4, lines 20-40);*

*retrieving at least one electronic record from at least one storage location (i.e. In this step any necessary protocol conversions are performed along with any modifications for a particular information source that are necessary in order to make a "best effort" to perform the query as requested. After some period of time the results of the query to the information sources are returned and collected by the IA client, step 303. In this case the entire documents may be downloaded, so what is obtained is a whole collection of full text documents, col. 4, lines 20-40);*

*parsing the electronic records (i.e. The tokenizer 502 extracts tokens by parsing the text of a document and generating a token 503 for each contiguous sequence of characters (e.g. a word). The tokens are then processed through a series of filters 504,*

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*col. 6, lines 18-36) to convert one or more raw data sets into user-selectable objects (i.e. after going through the series of filters 504 the remaining tokens 505 that are output are input to a statistics collector 506 for collecting the document level statistics 507 and collection level statistics 508. These statistics may include token occurrences or proximity of words or phrases, col. 6, lines 18-36, col. 4, lines 41-54); and*

*causing the user-selectable objects to be displayed (i.e. In relevance feedback a user indicates documents in the ephemeral collection that are relevant. Typically, an automatic procedure is used to reweight, add, or remove terms in a subsequent query (although some systems permit this to be done by the user), col. 6, lines 60-64).*

Rao does not explicitly teach stored electronic records search requests from a queued search database to execute next based upon one or more selection criteria.

Anderson teaches stored electronic records search requests (*i.e. a search request, col. 17, lines 27-35*) from a queued search database to execute next based upon one or more selection criteria (*i.e. At step 325, the MRA 38 places the router packet in the destination module's queue. In embodiments of the present invention, the destination module's queue is typically a FIFO (first in first out) type of ordered memory structure. A router packet is usually placed at the bottom position of the queue and the destination module usually retrieves router packets from the top position of the queue. In this way, if multiple router packets are placed within the destination module's queue, the earliest router packet to arrive in the queue will be at a designated position, such as the top position, col. 17, lines 55-65*).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao and Anderson at the time the invention was made to modify the system of Rao to include the limitations as taught by Anderson. One of ordinary skill in the art would be motivated to make this combination in order to monitor the contents of the destination module's queue for pending router packets, and monitor the designated destination module for processing activity in view of Anderson (col. 17, lines 46-54), as doing so would give the added benefit of having an information retrieval system to adaptively routed the information to another software module called the destination module as taught by Anderson (col. 3, lines 23-35).

**As to claims 6, 18, 30,** Rao teaches the parsing is implemented by at least one data processing algorithm based substantially on artificial intelligence (*i.e. The tokenizer 502 extracts tokens by parsing the text of a document and generating a token 503 for each contiguous sequence of characters (e.g. a word). The tokens are then processed through a series of filters 504, col. 6, lines 18-36).*

**As to claims 7, 19, 31,** Rao teaches the parsing further comprises: determining at least one data parsing algorithm that should be used for parsing the retrieved electronic records based upon a content of the retrieved electronic records; and executing the parsing using the at least one determining data parsing algorithm (*i.e. The tokenizer 502 extracts tokens by parsing the text of a document and generating a token*



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*503 for each contiguous sequence of characters (e.g. a word). The tokens are then processed through a series of filters 504, col. 6, lines 18-36).*

**As to claims 8, 20, 32,** Rao teaches the parsing further comprises filtering, sorting or analyzing the received electronic records for data consistency (*i.e. after going through the series of filters 504 the remaining tokens 505 that are output are input to a statistics collector 506 for collecting the document level statistics 507 and collection level statistics 508. These statistics may include token occurrences or proximity of words or phrases, col. 6, lines 18-36, col. 4, lines 41-54).*

**As to claims 11, 23, 35,** Rao teaches the first communication medium comprises a telephone dial-up modem connection and the second communication medium comprises an Internet connection (*i.e. Connection to the information sources may be through a network, e.g. databases residing on the Internet, or via a direct connection to the communication source, e.g. direct dial-up to Dialog.TM. Information Source databases, col. 3, lines 35-42).*

**As to claims 37, 39, 41,** Rao teaches the selecting one of the plurality of electronic records search requests to execute next base upon the one or more selection criteria further comprises examining search data associated with each of the electronic records search requests and evaluating the search data using the one or more selection criteria (*i.e. In relevance feedback a user indicates documents in the ephemeral*

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*collection that are relevant. Typically, an automatic procedure is used to reweight, add, or remove terms in a subsequent query (although some systems permit this to be done by the user), col. 6, lines 60-64).*

**As to claims 43, 44, 45,** Anderson teaches one or more of the stored search requests are stored in a search database when the search request cannot be executed at the time the search request is made (*i.e. At step 325, the MRA 38 places the router packet in the destination module's queue. In embodiments of the present invention, the destination module's queue is typically a FIFO (first in first out) type of ordered memory structure. A router packet is usually placed at the bottom position of the queue and the destination module usually retrieves router packets from the top position of the queue. In this way, if multiple router packets are placed within the destination module's queue, the earliest router packet to arrive in the queue will be at a designated position, such as the top position, col. 17, lines 55-65).*

**Claims 38, 40, 42, 49, 51, 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (US Patent No. 6,581,056), in view of Anderson et al. (US Patent No. 6,005,860), and further in view of Ferrel et al. (US Patent No. 5,907,837).**

**As to claim 49, 51,** Rao teaches a method for determining which of a plurality of search requests to implement, the method comprising:

evaluating one or more user input (*i.e. the query translated and transmitted to the respective information sources, col. 2, lines 27-36*), electronic records search requests using two or more search selection criteria (*i.e. Each of the information sources 102*

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*manage a repository of information (e.g. collections of papers, articles or other document types) and provide access to it through some access protocol. The access protocol may be either one of the de facto standards (e.g. Z39.50) or a server specific protocol (e.g. as used in the Dialog.TM. On-line information source). Thus, the IA client is capable of communicating using the protocol of the server, col. 3, lines 52-59), wherein the one or more search selection criteria comprises a status of the examined electronic records search request (i.e. information describing the available information sources, col. 4, lines 5-17);*

*selecting one of the user input, electronic records search requests to execute next based upon the evaluation (i.e. The query translation part 404 processes a query into the protocol(s) utilized by each of the various information sources being accessed. The query translation part 404 may also modify the query for a particular information source in the event that the information source cannot support the original request (e.g. a request made that is restricted to a particular field), col. 5, lines 31-37); and*

*executing the selected search (i.e. In this step any necessary protocol conversions are performed along with any modifications for a particular information source that are necessary in order to make a "best effort" to perform the query as requested. After some period of time the results of the query to the information sources are returned and collected by the IA client, step 303. In this case the entire documents may be downloaded, so what is obtained is a whole collection of full text documents, col. 4, lines 20-40).*

Rao does not specifically teach a plurality of queued search requests.

Anderson teaches a plurality of queued search requests (*i.e. a search request, col. 17, lines 27-35; At step 325, the MRA 38 places the router packet in the destination module's queue. In embodiments of the present invention, the destination module's queue is typically a FIFO (first in first out) type of ordered memory structure. A router packet is usually placed at the bottom position of the queue and the destination module usually retrieves router packets from the top position of the queue. In this way, if multiple router packets are placed within the destination module's queue, the earliest router packet to arrive in the queue will be at a designated position, such as the top position, col. 17, lines 55-65).*

It would have been obvious to one of ordinary skill of the art having the teaching of Rao and Anderson at the time the invention was made to modify the system of Rao to include the limitations as taught by Anderson. One of ordinary skill in the art would be motivated to make this combination in order to monitor the contents of the destination module's queue for pending router packets, and monitor the designated destination module for processing activity in view of Anderson (col. 17, lines 46-54), as doing so would give the added benefit of having an information retrieval system adaptively routed the information to another software module called the destination module as taught by Anderson (col. 3, lines 23-35).

Rao, Anderson do not expressly teach the examined electronic records search request was last updated.

Ferrel teaches when the examined electronic records search request was last updated (*i.e. content object modification date, col. 26, line 59 to col. 27, line 14).*

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Ferrel at the time the invention was made to modify the system of Rao, Anderson to include the examined electronic records search request was last updated as taught by Ferrel. One of ordinary skill in the art would be motivated to make this combination in order to determine how the search object results are sorted for the current section in view of Ferrel (col. 26, line 59 to col. 27, line 14), as doing so would give the added benefit of providing a system and method for indexing structured titles and search objects which would be an advance in the industry, as taught by Ferrel (col. 3, lines 61-65).

**As to claim 53**, Rao teaches a system for determining which of a plurality of search requests to implement, the system comprising:

a search evaluation system that evaluates one or more user input (*i.e. the query translated and transmitted to the respective information sources, col. 2, lines 27-36*), electronic records search requests using two or more search selection criteria (*i.e. Each of the information sources 102 manage a repository of information (e.g. collections of papers, articles or other document types) and provide access to it through some access protocol. The access protocol may be either one of the de facto standards (e.g. Z39.50) or a server specific protocol (e.g. as used in the Dialog.TM. On-line information source). Thus, the IA client is capable of communicating using the protocol of the server, col. 3, lines 52-59*), wherein the one or more search selection criteria comprises a status of the examined electronic records search request (*i.e. information describing the available information sources, col. 4, lines 5-17*);

a search selection system that selects one of the user input, electronic records search requests to execute next based upon the evaluation (*i.e. The query translation part 404 processes a query into the protocol(s) utilized by each of the various information sources being accessed. The query translation part 404 may also modify the query for a particular information source in the event that the information source cannot support the original request (e.g. a request made that is restricted to a particular field), col. 5, lines 31-37*); and

a search execution system that executes the selected search (*i.e. In this step any necessary protocol conversions are performed along with any modifications for a particular information source that are necessary in order to make a "best effort" to perform the query as requested. After some period of time the results of the query to the information sources are returned and collected by the IA client, step 303. In this case the entire documents may be downloaded, so what is obtained is a whole collection of full text documents, col. 4, lines 20-40*).

Rao does not specifically teach a plurality of queued search requests.

Anderson teaches a plurality of queued search requests (*i.e. a search request, col. 17, lines 27-35*; At step 325, the MRA 38 places the router packet in the destination module's queue. In embodiments of the present invention, the destination module's queue is typically a FIFO (first in first out) type of ordered memory structure. A router packet is usually placed at the bottom position of the queue and the destination module usually retrieves router packets from the top position of the queue. In this way, if multiple router packets are placed within the destination module's queue, the earliest

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*router packet to arrive in the queue will be at a designated position, such as the top position, col. 17, lines 55-65).*

It would have been obvious to one of ordinary skill of the art having the teaching of Rao and Anderson at the time the invention was made to modify the system of Rao to include the limitations as taught by Anderson. One of ordinary skill in the art would be motivated to make this combination in order to monitor the contents of the destination module's queue for pending router packets, and monitor the designated destination module for processing activity in view of Anderson (col. 17, lines 46-54), as doing so would give the added benefit of having an information retrieval system adaptively routed the information to another software module called the destination module as taught by Anderson (col. 3, lines 23-35).

Rao, Anderson do not teach when the examined electronic records search request was last updated.

Ferrel teaches when the examined electronic records search request was last updated (i.e. content object modification date, col. 26, line 59 to col. 27, line 14).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Ferrel at the time the invention was made to modify the system of Rao, Anderson to include when the examined electronic records search request was last updated as taught by Ferrel. One of ordinary skill in the art would be motivated to make this combination in order to determine how the search object results are sorted for the current section in view of Ferrel (col. 26, line 59 to col. 27, line 14), as doing so would give the added benefit of providing a system and method for indexing structured

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titles and search objects which would be an advance in the industry as taught by Ferrel (col. 3, lines 61-65).

**As to claims 38, 40, 42,** Rao teaches one or more search selection criteria comprises a status of the examined electronic records search request (*i.e. information describing the available information sources, col. 4, lines 5-17*).

Rao, Anderson do not teach when the examined electronic records search request was last updated.

Ferrel teaches when the examined electronic records search request was last updated (*i.e. content object modification date, col. 26, line 59 to col. 27, line 14*).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Ferrel at the time the invention was made to modify the system of Rao, Anderson to include when the examined electronic records search request was last updated as taught by Ferrel. One of ordinary skill in the art would be motivated to make this combination in order to determine how the search object results are sorted for the current section in view of Ferrel (col. 26, line 59 to col. 27, line 14), as doing so would give the added benefit of providing a system and method for indexing structured titles and search objects which would be an advance in the industry as taught by Ferrel (col. 3, lines 61-65).



**Claims 2, 5, 14, 17, 26, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (US Patent No. 6,581,056), in view of Anderson et al. (US Patent No. 6,005,860), and further in view of Barr et al. (US Patent No. 5,873,076).**

**As to claims 2, 14, 26,** Rao, Anderson do not specifically teach selecting at least one of the user-selectable objects to retrieve the raw data set associated with the selected object.

Barr teaches this limitation (*i.e. A search result list having entries representative of both textual documents and multi-media files related to the single search query is generated in accordance with the document records and the multi-media records identified by the index database search. Text corresponding to the search topic is retrieved by selecting entries from the search result list representing document records to be retrieved, and then retrieving text represented by the text information fields associated with the selected document records. Digital video, audio or graphics information corresponding to the search topic is retrieved by selecting entries from the search result list representing selected multi-media records to be retrieved, and then retrieving digital video, audio or graphics information represented by multi-media information fields associated with the selected multi-media records, col. 4, lines 19-33*).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Barr at the time the invention was made to modify the system of Anderson, Rao to include the limitations as taught by Barr. One of ordinary skill in the art would be motivated to make this combination in order to retrieve text represented by the text information fields associated with the selected document records in view of Barr

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(col. 4, lines 19-33), as doing so would give the added benefit of effectively identifying textual documents and multi-media files corresponding to a search topic as taught by Barr (col. 3, line 60 to col. 4, line 33).

**As to claims 5, 17, 29,** Rao, Anderson do not explicitly teach the parsing further comprises extracting the at least one raw data set from the retrieve electronic records.

Barr teaches this limitation *(i.e. A search result list is then generated having entries representative of information files identified during the database search, and the search result list is displayed in a first display window open on a user display, col. 4, lines 34-62).*

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Barr at the time the invention was made to modify the system of Anderson, Rao to include the limitations as taught by Barr. One of ordinary skill in the art would be motivated to make this combination in order to have a document composition window for receiving portions of the first and second information files is opened on the user display in view of Barr (col. 4, lines 34-62), as doing so would give the added benefit of effectively identifying textual documents and multi-media files corresponding to a search topic as taught by Barr (col. 3, line 60 to col. 4, line 33).

**Claims 3, 4, 10, 12, 15, 16, 22, 24, 27, 28, 34, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (US Patent No. 6,581,056), in view of Anderson et al. (US Patent No. 6,005,860), and further in view of Wolfe (US Patent No. 6,263,351).**

**As to claims 3, 15, 27,** Rao, Anderson do not teach the raw data sets comprise court case items or documents associated with a court case docket sheet.

However, Wolfe teaches the raw data sets comprise court case items or documents associated with a court case docket sheet (*i.e. the Graver Tank case that was decided by the U.S. Supreme Court in 1950, col. 5, line 55 to col. 6, line 63*).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Wolfe at the time the invention was made to modify the system of Rao, Anderson to include the raw data sets comprise court case items or documents associated with a court case docket sheet as taught by Wolfe. One of ordinary skill in the art would be motivated to make this combination in order to display at least a portion of a first document and simultaneously displaying a representation of one or more citing documents in view of Wolfe, as doing so would give the added benefit of providing a method and system for efficiently researching interrelated documents as taught by Wolfe (Summary).

**As to claims 4, 16, 28,** Rao, Anderson do not specifically teach the electronic records comprise results of an executed electronic court case records search request, at least one criterion used in formulating the electronic court case records search request and data related to at least one electronic court database associated with the electronic court case records search request.

However, Wolfe teaches the electronic records comprise results of an executed electronic court case records search request, at least one criterion used in formulating

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the electronic court case records search request and data related to at least one electronic court database associated with the electronic court case records search request (*i.e. the Graver Tank case that was decided by the U.S. Supreme Court in 1950, col. 5, line 55 to col. 6, line 63*).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Wolfe at the time the invention was made to modify the system of Rao, Anderson to include the raw data sets comprise court case items or documents associated with a court case docket sheet as taught by Wolfe. One of ordinary skill in the art would be motivated to make this combination in order to display at least a portion of a first document and simultaneously displaying a representation of one or more citing documents in view of Wolfe, as doing so would give the added benefit of providing a method and system for efficiently researching interrelated documents as taught by Wolfe (Summary).

**As to claims 10, 22, 34,** Rao teaches the plurality of electronic records databases comprises at least one first electronic database accessible through the first communication medium and at least one second electronic record database accessible through the second communication medium (*i.e. Connection to the information sources may be through a network, e.g. databases residing on the Internet, or via a direct connection to the communication source, e.g. direct dial-up to Dialog.TM. Information Source databases, col. 3, lines 35-42*).

Rao, Anderson do not expressly teach court database.

However, Wolfe teaches court database (*i.e. the Graver Tank case that was decided by the U.S. Supreme Court in 1950, col. 5, line 55 to col. 6, line 63*).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Wolfe at the time the invention was made to modify the system of Rao, Anderson to include the raw data sets comprise court case items or documents associated with a court case docket sheet as taught by Wolfe. One of ordinary skill in the art would be motivated to make this combination in order to display at least a portion of a first document and simultaneously displaying a representation of one or more citing documents in view of Wolfe, as doing so would give the added benefit of providing a method and system for efficiently researching interrelated documents as taught by Wolfe (Summary).

**As to claims 12, 24, 36,** Rao, Anderson do not expressly teach the electronic records search requests comprise court case docket sheet search requests (*i.e. the Graver Tank case that was decided by the U.S. Supreme Court in 1950, col. 5, line 55 to col. 6, line 63*).

However, Wolfe teaches the electronic records search requests comprise court case docket sheet search requests (*i.e. the Graver Tank case that was decided by the U.S. Supreme Court in 1950, col. 5, line 55 to col. 6, line 63*).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Wolfe at the time the invention was made to modify the system of Rao, Anderson to include the raw data sets comprise court case items or documents

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associated with a court case docket sheet as taught by Wolfe. One of ordinary skill in the art would be motivated to make this combination in order to display at least a portion of a first document and simultaneously displaying a representation of one or more citing documents in view of Wolfe, as doing so would give the added benefit of providing a method and system for efficiently researching interrelated documents as taught by Wolfe (Summary).

**Claims 46, 47, 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (US Patent No. 6,581,056), in view of Anderson et al. (US Patent No. 6,005,860), and further in view of Kanoh et al. (US Patent No. 5,873,077).**

**As to claims 46, 47, 48,** Rao, Anderson do not specifically teach retrieving one or more hard-copy documents associated with a selected user-selectable object.

Kanoh teaches this limitation (*i.e. The results of the search are returned to the user via the fax machine. These results may include documents that satisfy the search or may include a listing of such documents. Using the present invention, the user may also select documents from the search results to be retrieved from the Web using the fax machine, col. 4, lines 22-43*).

It would have been obvious to one of ordinary skill of the art having the teaching of Rao, Anderson and Kanoh at the time the invention was made to modify the system of Anderson, Rao to include retrieving one or more hard-copy documents associated with a selected user-selectable object as taught by Kanoh. One of ordinary skill in the art would be motivated to make this combination in order to select documents from the search results to be retrieved from the Web in view of Kanoh (col. 4, lines 22-43), as

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doing so would give the added benefit of allowing a fax machine to act as a Web client and retrieve text and images from any Web site as taught by Kanoh (col. 4, lines 43-47).

### ***Response to Arguments***

Applicant's arguments filed 04/03/08 have been fully considered but they are not persuasive.

1) In response to Applicant's arguments with respect to Rao and Anderson do not meet the requirements "selecting one of a plurality of user input, stored electronic search requests from a queued search database to execute next based upon one or more selection criteria", the Examiner respectfully as the cited arts read on the claimed limitation as follows:

"selecting one of a plurality of user input" equates to step 302 of Rao (i.e. The query is processed by the IA client, col. 4, lines 20-40).

"one or more selection criteria" equates to a protocol of a particular information source of Rao, col. 4, lines 20-40.

"executing next based upon one or more selection criteria" equates to a user can determine whether or not the query needs refinement, col. 4, lines 41-54). Hence, Rao implicitly teaches storing the user's query (search request) to execute later after the step of analyzing the user query for specifying an information source protocol to perform the query (i.e. In this step any necessary protocol conversions are performed along with any modifications for a particular information source that are necessary in order to make a "best effort" to perform the query as requested, col. 4, lines 20-40).

Although Rao does not explicitly disclose the term “queued search” for storing user input, Anderson teaches the step of storing information as a search request in a packet in the cited portion below:

*Stated generally, the method begins with a step of receiving information, such as a search request. Next, the information is formatted into a packet by providing four parts. A first part of the packet includes a destination designation corresponding to the destination module. A second part of the packet includes an origination designation corresponding to the origination module. A third part of the packet includes data. The data is derived from the information received and may have multiple elements. Finally, a fourth part of the packet includes an action designation. The action designation corresponds to a desired action to be performed by the destination module on the data. Thus, each part of the packet is formatted from the information by the origination module, col. 3, lines 36-49.*

Anderson states that the packet is put in a queue search for processing as cited in col. 5, lines 25-35:

*In another aspect of the present invention, the routing architecture may adaptively route the packet to the destination module by determining if another packet is in a queue associated with the destination module. A queue is an ordered memory structure used as a temporary storage mechanism for packets not yet processed by a destination module.*

Rao and Anderson references disclose the same field as information retrieval systems and methods, consequently; the combination, to employ “queued search”, as taught by Anderson in the system of Rao, in order to to efficiently rearrange the order of search request elements, which have been routed by the routing architecture, into an optimized order so as to enhance the speed of **a database search** in view of Anderson (col. 6, lines 30-35), is reasonably to establish a prima facie case of obviousness. Plus, as pointed out by the Examiner, only the teaching of “queued search” being taught by Anderson is used in combining with the system of Rao to render obvious the claimed limitations.



2) In response to Applicant's arguments with respect to Rao and Anderson do not meet the requirement "determining which of two or more different types of communication medium can be used to access at least one of a plurality of electronic records databases associated with the selected one of the electronic records search requests", the Examiner respectfully disagrees as for the following reasons:

Rao teaches two or more different types of communication medium as a different protocol (i.e. each of the various information sources may communicate using a different protocol and each may have different search capabilities, col. 4, lines 20-40; Each of the information sources 102 manage a repository of information (e.g. collections of papers, articles or other document types) and provide access to it through some access protocol. The access protocol may be either one of the de facto standards (e.g. Z39.50) or a server specific protocol (e.g. as used in the Dialog.TM. On-line information source). Thus, the IA client is capable of communicating using the protocol of the server, col. 3, lines 52-59).

The step of determining equates to step of 302 of Rao (i.e. In this step any necessary protocol conversions are performed along with any modifications for a particular information source that are necessary in order to make a "best effort" to perform the query as requested, col. 4, lines 20-40).

3) In response to Applicant's arguments with respect to Rao and Anderson do not meet the requirements "evaluating user input search request using the requisite

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two search selection criterion and then selecting which search request to execute based on the evaluation”, the Examiner respectfully notes that:

The step of “evaluation user input” equates to the step of translating for transmission to the information sources (i.e. The query is processed by the IA client and “translated” for transmission to the information sources associated with the query, step 302. As described above, each of the various information sources may communicate using a different protocol and each may have different search capabilities, col. 4, lines 20-40).

“two search selection criterion” equates to “various information sources”, col. 4, lines 20-40.

“selecting which search request to execute based on the evaluation” (See the preceding paragraph 1 above)

4) Applicant's arguments with respect to claim 55 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James K. Trujillo, can be reached on (571) 272-3677. The fax number to this Art Unit is (571)-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Miranda Le/

Primary Examiner, Art Unit 2169